

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

WESTERN DISTRICT OF MICHIGAN

Case number (if known) \_\_\_\_\_

Chapter 12 Check if this an amended filing**Official Form 201****Voluntary Petition for Non-Individuals Filing for Bankruptcy**

4/19

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Krieger's Wholesale Nursery Inc.

2. All other names debtor used in the last 8 years

Berry PlantsBarry PlantsSmall Fruit Plants

Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 38-1775915

4. Debtor's address Principal place of business

9555 N. Gast Road  
Bridgman, MI 49106

Number, Street, City, State &amp; ZIP Code

Berrien  
County

Mailing address, if different from principal place of business

PO Box 116  
Bridgman, MI 49106

P.O. Box, Number, Street, City, State &amp; ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State &amp; ZIP Code

5. Debtor's website (URL) <https://kriegersnursery.com/>

6. Type of debtor

- Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- Partnership (excluding LLP)
- Other. Specify: \_\_\_\_\_

Debtor **Krieger's Wholesale Nursery Inc.**  
Name \_\_\_\_\_Case number (*if known*) \_\_\_\_\_**7. Describe debtor's business****A. Check one:**

- Health Care Business (as defined in 11 U.S.C. § 101(27A))  
 Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  
 Railroad (as defined in 11 U.S.C. § 101(44))  
 Stockbroker (as defined in 11 U.S.C. § 101(53A))  
 Commodity Broker (as defined in 11 U.S.C. § 101(6))  
 Clearing Bank (as defined in 11 U.S.C. § 781(3))  
 None of the above

**B. Check all that apply**

- Tax-exempt entity (as described in 26 U.S.C. §501)  
 Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)  
 Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

**C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.**See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.**8. Under which chapter of the Bankruptcy Code is the debtor filing?****Check one:**

- Chapter 7  
 Chapter 9  
 Chapter 11. **Check all that apply:**

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625 (amount subject to adjustment on 4/01/22 and every 3 years after that).  
 The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).  
 A plan is being filed with this petition.  
 Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).  
 The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to *Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.  
 The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?** No. Yes.

If more than 2 cases, attach a separate list.

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?** No Yes.

List all cases. If more than 1, attach a separate list

Debtor **Mark Allen Krieger & Jame Sue Secondino Krieger** Relationship \_\_\_\_\_ Directors \_\_\_\_\_District **Western District of Michigan** When **5/15/19** Case number, if known **19-02148-swd**

Debtor **Krieger's Wholesale Nursery Inc.**  
 Name \_\_\_\_\_

Case number (*if known*) \_\_\_\_\_

- 11. Why is the case filed in this district?** Check all that apply:
- Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
  - A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

- 12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**
- No
  - Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention? (Check all that apply.)**

- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard? \_\_\_\_\_
- It needs to be physically secured or protected from the weather.
- It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- Other \_\_\_\_\_

**Where is the property?**

Number, Street, City, State &amp; ZIP Code \_\_\_\_\_

**Is the property insured?**

- No
- Yes. Insurance agency \_\_\_\_\_  
Contact name \_\_\_\_\_  
Phone \_\_\_\_\_

**Statistical and administrative information**

- 13. Debtor's estimation of available funds** Check one:
- Funds will be available for distribution to unsecured creditors.
  - After any administrative expenses are paid, no funds will be available to unsecured creditors.
- 
- 14. Estimated number of creditors**
- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000   | <input type="checkbox"/> 25,001-50,000     |
| <input type="checkbox"/> 50-99           | <input type="checkbox"/> 5001-10,000   | <input type="checkbox"/> 50,001-100,000    |
| <input type="checkbox"/> 100-199         | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999         |  |  |
- 
- 15. Estimated Assets**
- |  |  |  |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000          | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion     |
| <input type="checkbox"/> \$50,001 - \$100,000    | <input type="checkbox"/> \$10,000,001 - \$50 million           | <input type="checkbox"/> \$1,000,000,001 - \$10 billion  |
| <input type="checkbox"/> \$100,001 - \$500,000   | <input type="checkbox"/> \$50,000,001 - \$100 million          | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million         | <input type="checkbox"/> More than \$50 billion          |
- 
- 16. Estimated Liabilities**
- |  |  |  |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000          | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion     |
| <input type="checkbox"/> \$50,001 - \$100,000    | <input type="checkbox"/> \$10,000,001 - \$50 million           | <input type="checkbox"/> \$1,000,000,001 - \$10 billion  |
| <input type="checkbox"/> \$100,001 - \$500,000   | <input type="checkbox"/> \$50,000,001 - \$100 million          | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million         | <input type="checkbox"/> More than \$50 billion          |

Debtor Krieger's Wholesale Nursery Inc.  
Name \_\_\_\_\_Case number (*if known*) \_\_\_\_\_**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 13, 2019  
MM / DD / YYYY

**X /s/ Mark Allen Krieger**

Signature of authorized representative of debtor

**Mark Allen Krieger**

Printed name

Title Director

**18. Signature of attorney**

**X /s/ A. Todd Almassian**

Signature of attorney for debtor

Date November 13, 2019

MM / DD / YYYY

**A. Todd Almassian P55467**

Printed name

**Keller & Almassian, PLC**

Firm name

**230 East Fulton**

**Grand Rapids, MI 49503**

Number, Street, City, State & ZIP Code

Contact phone 616-364-2100

Email address ecf@kalawgr.com

**P55467 MI**

Bar number and State

**United States Bankruptcy Court  
Western District of Michigan**

In re Krieger's Wholesale Nursery Inc.

Debtor(s)

Case No.

Chapter 12

**VERIFICATION OF CREDITOR MATRIX**

I, the Director of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: November 13, 2019

/s/ Mark Allen Krieger

**Mark Allen Krieger/Director**  
Signer/Title

Date: November 13, 2019

/s/ A. Todd Almassian

Signature of Attorney  
**A. Todd Almassian P55467**  
**Keller & Almassian, PLC**  
**230 East Fulton**  
**Grand Rapids, MI 49503**  
**616-364-2100 Fax: 616-364-2200**

2ND CIRCUIT COURT  
CASE NO. 2018-0090-PS  
811 PORT STREET  
SAINT JOSEPH MI 49085

2ND CIRCUIT COURT  
CASE NO. 2019-0084 CK  
811 PORT STREET  
SAINT JOSEPH MI 49085

AMERICAN EXPRESS  
PO BOX 981537  
EL PASO TX 79998

AUTO-OWNERS INSURANCE COMPANY  
PO BOX 320  
SWEETSER IN 46987-0320

BMO HARRIS BANK NA  
C/O JASON R. BURKE ESQ.  
BLACKWELL BURKE & RAMSEY PC  
101 W. OHIO STREET, STE. 1700  
INDIANAPOLIS IN 46204

BMO HARRIS BANK NA  
C/O EDWARD W. PATTISON  
135 N. PENNSYLVANIA STREET  
SUITE 900  
INDIANAPOLIS IN 46268

BMO HARRIS BANK NA  
C/O DANIEL R. KUBIAK, ESQ.  
900 MONROE AVE NW  
GRAND RAPIDS MI 49503

BMO HARRIS BANK NA  
3901 WEST 86TH STREET  
SUITE 125  
INDIANAPOLIS IN 46268

BRUCE D. LEMOINE, ESQ.  
ARMSTRONG TEASDALE LLP  
7700 FORSYTH BLVD, SUITE 1800  
SAINT LOUIS MO 63105

CMS PREMIUM RECOVERY SERVICES  
10192 GRAND RIVER ROAD  
SUITE 111  
BRIGHTON MI 48116

COLLEEN M. CULLITAN ESQ.  
1014 MAIN STREET  
PO BOX 318  
SAINT JOSEPH MI 49085

DAVID R. KREBS, ESQ.  
HESTER BAKER KREBS LLC  
ONE INDIANA SQUARE, SUITE 1600  
211 N. PENNSYLVANIA STREET  
INDIANAPOLIS IN 46204

DEAN E. RIETBERG, ESQ.  
OFFICE OF THE U.S. TRUSTEE  
THE LEDYARD BUILDING, 2ND FL  
125 OTTAWA NW, SUITE 200R  
GRAND RAPIDS MI 49503

DEERE & COMPANY  
6400 NW 86TH STREET  
JOHNSTON IA 50131

EDGAR COUNTY CIRCUIT COURT  
115 W. COURT STREET  
ROOM M  
PARIS IL 61944

INTERNAL REVENUE SERVICE  
PO BOX 7346  
CENTRALIZED INSOLVENCY  
PHILADELPHIA PA 19101-7346

JAME SUE SECONDINO KRIEGER  
8630 LIVINGSTON HILLS ROAD  
BRIDGMAN MI 49106

JOHN DEERE FINANCIAL  
PO BOX 6600  
JOHNSTON IA 50131

JOHN DEERE FINANCIAL  
23176 NETWORK PLACE  
CHICAGO IL 60673

JOSEPH M. AMMAR, ESQ.  
MILLER, CANFIELD, PADDOCK AND  
STONE, PLC  
277 SOUTH ROSE ST., SUITE 5000  
KALAMAZOO MI 49007

JP MORGAN CHASE BANK  
383 MADISON AVENUE  
NEW YORK NY 10179

JPMORGAN CHASE BANK  
BENTON HARBOR BUSINESS BANKING  
400 RIVERVIEW  
BENTON HARBOR MI 49022

JPMORGAN CHASE BANK  
MAIL CODE KY1-0900  
416 WEST JEFFERSON, FL 1  
LOUISVILLE KY 40202

JPMORGAN CHASE BANK  
PO BOX 24696  
COLUMBUS OH 43224

KEELER-GLASGOW COMPANY INC.  
80444 CR 687  
HARTFORD MI 49057

KUBOTA CREDIT CORPORATION USA  
PO BOX 2046  
GRAPEVINE TX 76099

LARRY AND MARILYN KRIEGER FLP  
PO BOX 116  
BRIDGMAN MI 49106

MARILYN JANE KRIEGER  
11426 GAST ROAD  
BRIDGMAN MI 49106

MARK ALLEN KRIEGER  
8630 LIVINGSTON HILLS ROAD  
BRIDGMAN MI 49106

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GRAND RAPIDS MI 49503

PERRY G. PASTULA, ESQ.  
DUNN SCHOUTEN & SNOAP PC  
2745 DE HOOP AVE SW  
WYOMING MI 49509

PETER KRIEGER  
PO BOX 145  
UNIVERSAL IN 47884

RICHARD S. BARON ESQ.  
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38777 SIX MILE RD, SUITE 300  
LIVONIA MI 48152

STATE OF MICHIGAN  
DEPT. OF TREASURY  
PO BOX 30754  
LANSING MI 48909

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SRAUB, SEAMAN & ALLEN, PC  
1014 MAIN STREET  
SAINT JOSEPH MI 49085

TSYS MERCHANTS SOLUTIONS, LLC  
C/O THE CORPORATION CO.  
40600 ANN ARBOR ROAD E  
SUITE 201  
PLYMOUTH MI 48170

UNIVERSAL RESOURCE MGMT INC.  
PO BOX 182  
UNIVERSAL IN 47884

VERMILLION CIRCUIT COURT  
CAUSE NO. 83C01-1708-MF-020  
7 N. VERMILLION STREET  
DANVILLE IL 61832

VISA U.S.A, INC.  
C/O CSC- LAWYERS INCORPORATING  
SERVICE (COMPANY)  
601 ABBOT ROAD  
EAST LANSING MI 48823

**United States Bankruptcy Court  
Western District of Michigan**

In re Krieger's Wholesale Nursery Inc.

Debtor(s)

Case No.  
Chapter

12

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for Krieger's Wholesale Nursery Inc. in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

- None [Check if applicable]

November 13, 2019

Date

/s/ A. Todd Almassian

A. Todd Almassian P55467

Signature of Attorney or Litigant

Counsel for Krieger's Wholesale Nursery Inc.

Keller & Almassian, PLC

230 East Fulton

Grand Rapids, MI 49503

616-364-2100 Fax:616-364-2200

ecf@kalawgr.com